



April 3, 2013 scheduling order and more fully set forth in the briefing, the Motion seeks the Court's clarification of the parties to the 1999 Order and modernization of the 1999 Order, which Respondents believe will narrow or eliminate the matters in dispute at the evidentiary hearing. Accordingly, Respondents respectfully request that the Court schedule a hearing and oral argument on the Motion on or before October 7, 2013, the deadline by which the parties are required to submit materials for the October 21, 2013 final pretrial conference.

Certificate of Conference: On September 19, 2013, the undersigned conferred via email with Robin Moore on behalf of the Federal Trade Commission regarding the relief requested herein. Mr. Moore advised that the FTC opposes a hearing on the Motion, but does not oppose a notice to the Court requesting a ruling on the Motion without a hearing.

WHEREFORE, the foregoing considered, Respondents request that the Court set Respondents' Motion to Modify or Interpret 1999 Order for hearing and oral argument on or before October 7, 2013.

Respectfully submitted,

By: /s/ Derick J. Rodgers

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### **CERTIFICATE OF SERVICE**

I certify that on September 19, 2013, a true and correct copy of the foregoing document was filed with the Clerk of Court using the CM/ECF system which will send electronic notification to all counsel of record.

By: /s/ Derick J. Rodgers  
Derick J. Rodgers